

**Corrected****In the United States Court of Federal Claims**

No. 21-1326

(Filed: June 8, 2021)

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**DAWANE ARTHUR MALLET-EL.**

Plaintiff,

v.

**UNITED STATES,**Defendant,

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**ORDER FOR DISMISSAL**

Plaintiff, who is incarcerated in Colorado, filed pro se this civil action against the United States of America. *See* ECF No. 1. On May 12, 2021, the court ordered plaintiff to pay the required filing fee or “submit the enclosed IFP application, trust fund account statement, and Prisoner Authorization Form by May 28, 2021.” *See* ECF No. 6. Plaintiff was advised that if he “fail[ed] to comply with th[e] order . . . th[e] action will be dismissed without prejudice for failure to prosecute under Rule 41 of Rules of the Court of Federal Claims.” *Id.* Plaintiff submitted an application to proceed in forma pauperis on June 2, 2021.<sup>1</sup> Plaintiff’s application included the first page of the IFP application, his Prisoner Authorization Form, and inmate trust fund account statement. Plaintiff further submitted a statement that the filing fee could be accessed against the United States Treasury and tendered a fictitious \$10,000,000 Treasury obligation as a basis for that source of payment.

Plaintiff’s submission of an incomplete IFP application and his tender of a fictitious Treasury obligation cannot be used to satisfy the filing fee requirement. And, as a matter of prudence, the court additionally has considered plaintiff’s underlying claims set out in the complaint and finds that they are not within the court’s jurisdiction. As such, plaintiff’s complaint is DISMISSED for failure to prosecute pursuant to Rule 41 of the Rules of the Court of Federal Claims.

The clerk is directed to enter judgment in accord with this disposition.

No costs.

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<sup>1</sup> Plaintiff’s application was mailed on May 18, 2021, but not received until June 1, 2021. The court will nevertheless evaluate the application.

It is so **ORDERED**.

s/ Charles F. Lettow

Charles F. Lettow

Senior Judge